

# **EXHIBIT A**

TIMOTHY ELDER (CA BAR NO. 277152)  
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*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

LISAMARIA MARTINEZ,

Case No. 3:20-cv-06570-TSH

Plaintiff.

V.

**COUNTY OF ALAMEDA, MELISSA WILK**, in her individual capacity, **EVA HE**, in her individual capacity, **MARIA LAURA BRIONES**, in her individual capacity,

**PLAINTIFF'S INITIAL DISCLOSURES  
PURSUANT TO FEDERAL RULE OF  
CIVIL PROCEDURE 26(A)(1)**

### Defendants.

Plaintiff makes the following disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure and General Order No. 56 of the United States District Court, Northern District of California.

## I. PRELIMINARY STATEMENT

Plaintiff has not completed her investigation or analysis of the facts relating to this case and has not completed preparation for trial. Plaintiff makes these disclosures pursuant to Rule 26 of the Federal Rules of Civil Procedure and without prejudice to her right to produce evidence of any subsequently discovered facts or interpretations of facts, and to otherwise supplement or amend these responses. This information is true and correct to the best knowledge of Plaintiff, at this time, and is subject to correction for any subsequently discovered errors or omissions. By

1 making these disclosures, Plaintiff is not conceding the admissibility of any of the information  
 2 disclosed nor waiving any objection that might be made to the admissibility of the information  
 3 disclosed.

## 4 II. DISCLOSURES

### 5 A. Individuals

6 Below is a list of those individuals presently known to Plaintiff who are likely to have  
 7 discoverable information that Plaintiff will use to support her claims:

8 1. The following individuals are knowledgeable (1) regarding Defendants' policies,  
 9 practices, and procedures with respect to assistance with paper forms for persons with disabilities  
 10 at the Alameda County Clerk-Recorder's Office; and/or (2) the events of March 29, 2019 alleged  
 11 in Plaintiff's Complaint. The list excludes expert witnesses and custodians of record who may be  
 12 necessary to authenticate documents:

13 a) Lisamaria Martinez, Plaintiff, is knowledgeable as a blind individual who, on March  
 14 29, 2019, visited the Alameda County Clerk-Recorder's Office needing assistance  
 15 completing forms necessary to register for a fictitious business name, and was denied  
 16 the assistance she required to do so. She is further knowledgeable regarding her  
 17 disability, the techniques she uses to independently navigate and perform tasks, and  
 18 the tasks for which she requires the assistance of a sighted person. Ms. Martinez may  
 19 be contacted solely through Plaintiff's counsel of record in this action.

20 b) Additional individuals with knowledge about the acts, omissions, policies, and  
 21 procedures at issue in this case: when and as Plaintiff's counsel identify and obtain  
 22 the consent of such individuals to have their identity disclosed, Plaintiff's counsel  
 23 will supplement this disclosure to provide such information.

24 2. Plaintiff anticipates that various employees and agents of Defendants are likely to have  
 25 information that supports Plaintiffs' claims in this matter. These include the following  
 26 individuals. Plaintiff will supplement these disclosures when and as individuals are identified:

27 a) Angelina (surname unknown), Clerk, is likely to have knowledge regarding the  
 28 events of March 29, 2019 alleged in Plaintiffs' Complaint.

- b) Maria Laura Briones, supervisor, is likely to have knowledge regarding the events of March 29, 2019 alleged in Plaintiffs' Complaint.
  - c) Eva He, Assistant Clerk-Recorder, is likely to have knowledge regarding the events of March 29, 2019 alleged in Plaintiffs' Complaint.
  - d) Melissa Wilk, Alameda County Auditor-Controller/Clerk-Recorder, is likely to have knowledge regarding her office's policies, practices, and procedures with respect to providing assistance with paper forms to persons requiring such assistance because of a disability.

9       3. Plaintiff is likely to designate an expert or experts in support of her claims. Plaintiff will  
10 also designate an expert to rebut testimony offered by any experts designated by Defendants.  
11 Plaintiff will disclose these witnesses consistent with the timelines for disclosure of expert  
12 testimony established by Rule 26(a)(2)(D).

## B. Documents

14 Plaintiff, c/o Plaintiff's counsel, presently has in her possession the following documents that  
15 may be used to support her claims:

16       1. Plaintiff's pre-litigation California government tort claim, filed September 23, 2019, and  
17 related proof of mailing and receipt.

18       2. Recorded audio data made on March 29, 2019 of Plaintiff's interaction with Angelina and  
19 identifying Mses. Briones and He.

20       3. Documents reflecting the incorporation and operation of Plaintiff's business.

### **C. Damages**

22       1. Plaintiff will seek compensatory damages in an amount to be established through witness  
23 testimony and determined by a jury regarding the humiliation, indignity, shock, and emotional  
24 distress that Plaintiff suffered because of the unlawful policies, practices, and conduct of  
25 Defendants and their agents.

26       2. Plaintiff will seek all applicable statutory damages for Plaintiff under the Unruh Civil  
27 Rights Act and California Disabled Persons Act. Statutory damages will be based on the statutory  
28 minimum amount set forth in Cal. Civ. Code §§ 52 and 54.3. The amount of statutory damages

sought for Plaintiff will be calculated according to the number of incidents of discrimination that she experienced.

3. Plaintiff will seek reasonable attorneys' fees and costs in an amount to be determined by the Court.

#### **D. Insurance**

Plaintiff is not aware of any insurance agreements applicable to her claims in this litigation.

## **E. Supplemental Disclosures**

Plaintiff retains the right to supplement these disclosures if she obtains additional information or documents that are subject to the initial disclosure requirements.

To the best of my knowledge, information, and belief, formed after an inquiry that is reasonable under the circumstances, this disclosure is complete and correct as of the time it is made.

DATED: February 4, 2021

Respectfully submitted,

## TRE LEGAL PRACTICE

/s/ Albert Elia

*Attorneys for Plaintiff*

## **CERTIFICATE OF SERVICE**

I, Michelle Korosy, declare as follows:

1. I am a citizen of the United States, over 18 years of age, and not a party to the above-captioned action. My business address is TRE Legal Practice, 4226 Castanos Street, Fremont, CA 94536.
  2. On February 4, 2021, I served the following document:
    - a) PLAINTIFF'S INITIAL DISCLOSURES PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 26(A)(1)
  3. I accomplished this by causing the document listed above to be delivered via email to the attorneys for Defendants County of Alameda, Melissa Wilk, Eva He, and Maria Laura Briones at the email addresses set forth below.

a) Kevin Gilbert kgilbert@ohshlaw.com  
b) Nicholas D. Fine nfine@ohshlaw.com

I declare under penalty of the laws of the United States of America and the State of California that the foregoing is true and correct, and that this declaration was executed in Clovis, California on February 4, 2021.

By: Michelle Korosy

Michelle Korosy